



June 20, 2005

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *Ex Parte* Notice

Appropriate Regulatory Treatment for Broadband Access to the Internet over Cable Facilities, CS Docket No. 02-52; Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, CC Docket No. 02-33; and IP-Enabled Services, WC Docket No. 04-36.

Dear Ms. Dortch:

On Monday, June 13, 2005, representatives of the Telecommunications Industry Association (TIA) met with Michelle Carey, Legal Advisor to Chairman Kevin Martin. The TIA representatives were Doug Cooper, Paul Kenefick, Jeff Campbell, Helena Hutton, Grant Seiffert, and the undersigned. The purpose of the meeting was for TIA to reiterate its position on the subject matter central to the *Brand X* case – that is, classification of cable modem services as information services under the Telecom Act. TIA's *amicus curiae* brief is submitted as an attachment hereto, as is a TIA paper entitled "Convergence Policy Agenda." TIA urged that the Commission maintain a path consistent with its earlier ruling that cable modem services, and broadband services in general, are information services.

Pursuant to Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, a copy of this submission is being provided to Ms. Carey. Please contact the undersigned with any questions in connection with this filing.

Respectfully submitted,

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